

Planning Commission Meeting Agenda

Wednesday February 4, 2026 - 6:00 PM
Cologne Community Center, 1211 Village Parkway

Vision Statement

The City of Cologne is a vibrant small town that respects its heritage, embraces its future and offers a high quality of life for all who live, work and visit our community.

Commissioner:	<i>Bernie Shambour</i>
Commissioner:	<i>Shannon Frakie</i>
Commissioner:	<i>Kristy Naegely</i>
Commissioner:	<i>Jayson Read</i>
<i>City Council Liaison:</i>	<i>Selmer Olson</i>

NOTE: AGENDA ITEMS ARE APPROXIMATE AND SUBJECT TO CHANGE ACCORDING TO LENGTH OF DISCUSSION. TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE ARRIVE AT 6:00 PM.

- 1. CALL MEETING TO ORDER & ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ADOPT AGENDA**
- 4. PLANNING COMMISSION NEW BUSINESS**
 - a. Approve January 7, 2026 Planning Commission Minutes**
 - b. Discuss City Planner's comments on Swimming Pools and Parking Ordinance.**
 - c. Ordinance Review Discussion**
- 5. ADJOURN**

Planning Commission Meeting Minutes

Wednesday January 5, 2026 - 6:00 PM
Cologne Community Center, 1211 Village Parkway

Vision Statement

The City of Cologne is a vibrant small town that respects its heritage, embraces its future and offers a high quality of life for all who live, work and visit our community.

Commissioner:	Bernie Shambour
Commissioner:	Shannon Franz
Commissioner:	Kristy Naegely
Commissioner:	Jayson Read
<i>City Council Liaison:</i>	Selmer Olson

NOTE: AGENDA ITEMS ARE APPROXIMATE AND SUBJECT TO CHANGE ACCORDING TO LENGTH OF DISCUSSION. TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE ARRIVE AT 6:00 PM.

1. ELECTION OF CHAIRPERSON

Administrator Morrison reviewed the process for electing a chairperson. Commissioner Shambour expressed an interest in continuing as the Chairperson. Commissioner Franz made a motion to nominate Bernie Shambour as Chairperson, second by Commissioner Read. Motion carried unanimously.

2. CALL MEETING TO ORDER & ROLL CALL

Chair Shambour called the meeting to order at 6:05 PM with Commissioners Franz, Naegely, Read and Olson present.

3. PLEDGE OF ALLEGIANCE

4. ADOPT AGENDA

Commissioner Naegely made a motion to adopt the agenda, second by Commissioner Franz. Motion carried unanimously.

5. PLANNING COMMISSION NEW BUSINESS

a. Approve December 3, 2025 Planning Commission Minutes

Motion by Commissioner Read to approve the December 3rd Planning Commission Minutes, second by Commissioner Naegely. Motion carried unanimously.

b. Discuss City Planner's comments on Park Board and Planning Commission Ordinance Changes

Commissioners reviewed the suggested edits provided by City Planner Cindy Nash and agreed they were all good. The commissioners discussed a process for going forward that targeted a April 20th Public Hearing to adopt all changes that they had reviewed and recommended. Once an ordinance had been reviewed and edits agreed to it would be considered an action item for the April 20th Public Hearing. As ordinances become action items they will be shared with the City Council for feedback and preliminary approval for the April 20th Public Hearing.

The edits approved for the section: Title III Administration will be shared with the City Council.

c. Ordinance Review Discussion

The commissioners reviewed and discussed changes to Chapter 151 Swimming Pools and Chapter 71 Parking Regulations. Before adjourning the commissioners selected Chapters 73 Recreational Vehicles and Chapter 74 Bicycles, Roller Blades, Roller Skates, Roller Skis and Skateboards to review for their next meeting.

6. ADJOURN

Motion by Commissioner Read to adjourn at 7:45 PM, second by Commissioner Naegely. Motion carried unanimously.

Respectfully Submitted:

Michelle M Morrison, City Administrator

Attest:

Bernie Shambour, Chairperson

Redline Cologne Swimming Pool Ordinance

January 29, 2026

Note: this ordinance is located in a land use section of the city code – may require a public hearing to remove/amend. Suggest that this should be in a nuisance type section of ordinance instead as a lot of the items are not zoning (noise, flushing, etc.)

CHAPTER 151: SWIMMING POOLS

Section

151.01 General provisions

151.021 Permit required

151.03 Application for permit

151.04 Construction setback requirement

151.05 Safety fence required

151.06 Miscellaneous requirements

151.07 Retroactivity

151.08 Violations

151.09 Effective date

§ 151.01 GENERAL PROVISIONS.

Private swimming pools are regulated by this chapter and are defined as follows: Any enclosure, designed or intended or used for the containment of water, whether constructed below ground level or above ground level, having a surface area exceeding 100 square feet and depth exceeding 18 inches which is designed, intended, or used for swimming, wading, or other recreational use by the owner or tenant of the property upon which the pool is constructed or by their family or invited guests without payment of a fee.

(Ord. 122, passed 4-2-1990)

§ 151.012 PERMIT REQUIRED.

~~No swimming pool shall be constructed or established and no pool construction shall be commenced in the City of Cologne without first obtaining a building permit and swimming pool permit. A permit is required for all swimming pools; except those pools exempted by MN Rules, Chapter 1300.0120 that has both a capacity of less than 5,000 gallons of water and a water depth of less than twenty-four inches do not require a building permit.~~

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

§ 151.03 APPLICATION FOR PERMIT.

(A) Application for a ~~swimming pool~~^{building} permit shall be made to the ~~Zoning~~^{Administrator}~~City Clerk~~ upon forms provided by the Building Inspector. The fee will be determined annually by the City Council.

(B) The application for the permit shall include, without limitation, the following information:

- (1) Complete plans and specifications for the construction of the pool;
- (2) A site plan showing the location of all structures on the lot, including the house, garage, fences, trees, overhead or underground wiring, utility easements, and other significant improvements or natural features;
- (3) One set of plans and/or specifications for the pool indicating design, size, depth, liner type, pool heater types and specifications, and pool capacities
- (4) The manufacturer's installation instructions for the pool.
- (5) The proposed location of pumps, filters, electrical power source (if applicable), flushing and drainage outlets, and other operational features; and
- (46) Location and specifications of protective fencing.

(Ord. 122, passed 4-2-1990)

§ 151.04 CONSTRUCTION SETBACK REQUIREMENT.

(A) Generally. Private swimming pools shall be constructed so as to avoid hazard or damage to the occupants of the subject property or the occupants of adjacent property and shall meet the following minimum requirements.

(B) Specifically.

- (1) ~~Setback. No pool shall be located within 18 feet (measured horizontally) from any underground or overhead utility line of any kind.~~

Commented [CN1]: Note: Typically we would not have this information when reviewing a plan/permit

(21) Easements. No pool shall be located within any public or private utility easement, ingress, or egress easement, drainage way, marshwetland, or other location in which it will represent a threat to the natural environment floodplain.

(23) Accessory structures. Swimming pools are accessory structures in all residential districts and shall meet all setbacks for accessory structures.

(34) Electrical. All electrical installations shall comply with current building, electrical, and other applicable state and local codes.

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

§ 151.05 SAFETY FENCE REQUIRED-FENCING FOR SWIMMING POOLS

[A] A swimming pool shall be completely enclosed with fencing four (4) feet or greater in height to prevent uncontrolled access from adjacent streets and properties.

[B] Notwithstanding anything to the contrary in Section A above, no fencing is required for an above ground pool that has both a capacity of less than 5,000 gallons of water and a water depth of less than twenty-four inches.

[C] If the wall of an above ground swimming pool is four (4) feet or higher, no additional four (4) foot fence is needed if the ladder is removable. If the wall of an above ground swimming pool is less than four (4) feet in height, a railing may be installed on top of the swimming pool wall to create a height of four (4) feet or greater and no additional fencing will be required if the ladder is removable. Provided all other applicable building permits are obtained, no separate building permit for fencing is required for pool walls or railing placed on top of pool walls.

(A) Fence required. A fence, so as to inhibit climbing, six feet in height shall completely enclose the pool. All openings or points of entry into the pool area shall be equipped with gates or doors. All gates and doors shall have a latch which shall be so constructed and so placed as to be inaccessible to small children. All gates and doors shall be latched when the pool is not in use. Any opening between the bottom of the fence and the ground shall not exceed three inches. All fencing shall not have a distance of more than three inches between slats or sections.

(B) Walls. The wall of any pool constructed above ground level, regardless of the height thereof, shall not qualify as a safety fence.

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

§ 151.06 MISCELLANEOUS REQUIREMENTS.

(A) Nuisance. The conduct of persons and the operation of pools shall be the responsibility of the owner and the tenant thereof and the conduct of persons and operation of the pool shall be done in a manner so as to avoid any nuisance or breach of the

~~peace, and it shall be unlawful to allow loud noises to go beyond the boundaries of the property upon which the pool is located to adjacent property.~~

(BA) Drainage. All back flushing water or pool drainage water shall be directed onto the property of the owner, or onto approved drainage ways. ~~Drainage onto public streets or other public drainage ways shall require a permit from the Building Inspector.~~

(CB) Lighting. Any outdoor lighting of the pool shall be shielded downward and shall not be permitted to spill or shine upon adjacent properties.

(CD) Filling. The filling of pools from fire hydrants or other public facilities is prohibited, without prior approval of the Director of Public Works.

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

Commented [CN2]: Not sure how this should be handled, but it isn't a building permit.

§ 151.07 RETROACTIVITY.

All residential swimming pools existing on 4-2-1990 shall comply with § 151.05.

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

§ 151.08 VIOLATIONS.

Any person violating any provision of this chapter shall be guilty of a misdemeanor by state law and subject to the penalties thereof.

(Ord. 122, passed 4-2-1990) Penalty, see § 10.99

§ 151.09 EFFECTIVE DATE.

This chapter shall take effect and be in force upon and publication as required by law.

(Ord. 122, passed 4-2-1990)

SWIMMING POOLS

This handout is intended only as a guide. It shall not be considered a complete set of requirements. Materials and installation must comply with the current Minnesota State Building Code and the manufacturers' installation specifications for each product.

A permit is required for all swimming pools. EXCEPTION: MN Rules, Chapter 1300.0120:

"Prefabricated swimming pools installed entirely above ground accessory to dwelling units constructed to the provisions of the International Residential Code or R-3 occupancies constructed to the provisions of the International Building Code, which do not exceed both 5,000 gallons in capacity and a 24-inch depth"

			
In-ground. A permit is required.	Above ground, 5,500 gallons and 48" high. A permit is required.	Above-ground, 2,500 gallons and 52" high. A permit is required.	Above ground, 76 gallons and 13" high. No permit is required.

Permanent pools (all in-ground and some above-ground pools) will stay in your yard year round. Closing procedures are done to prepare the pool for a winter of non-use, followed by opening procedures in the spring. An in-ground pool includes an above-ground pool where excavation took place so that any part of the sides or bottom are below grade.

Temporary (seasonal) pools are made of less sturdy materials and can be disassembled and stored inside for winter. Seasonal residential swimming pools requiring permits (over 24" and/or 5000 gallons, installed entirely above grade) are allowed to be installed with a single application and approval provided that the same pool is installed in the same location each year. Once approved, the pool may be put up and taken down any number of times in the same spot/location.

Contact your jurisdiction for setbacks under zoning ordinance for permanent fence or barrier requirements. Separate permits are required for pool decks, electrical, plumbing, mechanical, and enclosures.

BUILDING Permit Submittal shall include:

- Building Permit Application**, completed in its entirety, including signature and valuation.
- A site survey** (or **Certificate of Survey** if required by municipality) drawn to scale and dimensioned, identifying placement of the pool, existing side and rear yard elevations, site drainage patterns, and verification that drainage and utility easements will not be modified. Location of the septic system, tank(s) and drain field absorption area (if applicable), and any electrical services to the residence or accessory structures must also be identified.
- One set of plans and/or specifications** for the pool (indicating design, size, depth, liner type, pool heater types and specifications, and pool capacities).
- Supplemental worksheet** included with this handout.
- The manufacturer's installation instructions** for the pool.
- Additional information** may be required by the plan reviewer

Inspections MUST be scheduled during office hours AT LEAST one business day prior to inspection. If a specific date and time is required, additional notice may be needed. Failure to cancel a scheduled inspection may result in a reinspection fee.

- **Office Hours:** Monday - Friday • 8:00 a.m. - 4:30 p.m.
- **Phone:** (763) 331-7722.

INSPECTIONS REQUIRED: manufacturer's installation instructions must be available at all inspections.

- **Site Inspection:** Prior to excavation for in-ground pools; prior to erection of above-ground pools. Property lines must be clearly marked, and, if excavating, Soil and Erosion Control measures must be in place.
- **Footings:** After pool walls are installed and braced and the hole has been excavated, but prior to pouring concrete (in-ground pools).
- **Final:** After all wiring, heating, plumbing, grading, pool decks, and enclosures have been completed and approved by the appropriate inspectors.

NOTICE: Construction or work for which a permit is required shall be subject to inspection by the Building Official, and such **construction or work shall remain accessible and exposed for inspection purposes until approved.** It is the responsibility of the permit applicant to be in attendance on site and provide access to the Building Official for all required inspections. If work is concealed and/or work is not complete at time of inspection, an additional inspection is required, and a **reinspection fee may apply.**

Note: The State of Minnesota requires all residential building contractors, remodelers, roofers, plumbers, and electricians to obtain a state license, unless they qualify for a specific exemption. Any person claiming an exemption must provide a copy of a Certificate of Exemption from the Department of Labor & Industry to the Municipality before a permit will be issued.

Note: To determine contractor requirements, or to check the licensing status of a contractor, please call the Minnesota Department of Labor & Industry at 651-284-5065 or toll free 1-800-342-5354.

Note: For specific code requirements, contact the Building Inspection Department at 763-331-7722 or e-mail:

Following guideline is to assist in compliance with the requirements of the MN Building Code.

- The home address must be visible from the street.
- BEFORE YOU DIG, contact Gopher State One Call to locate buried utilities: (651) 454-0002 or (800) 252-1166. www.gopherstateonecall.org.
- Heaters shall be equipped with a readily accessible on-off switch that is mounted outside of the heater to allow shutting off the heater without adjusting the thermostat setting.
- Gas-fired heaters shall not be equipped with constant burning pilot lights.
- Heaters shall be installed in accordance with the manufacturer's installation instructions.
- Oil-fired pool and spa heaters shall be tested in accordance with UL 726.
- Electric pool and spa heaters shall be tested in accordance with UL 1261.
- Time switches or other control methods that can automatically turn heaters and pumps on and off according to a preset schedule shall be installed on all heaters and pumps. Heaters, pumps and motors that have built in timers shall be deemed in compliance with this requirement.
- Heated pools and in-ground permanently installed spas shall be provided with a vapor-retardant cover.
- Check your municipality ordinances for requirements related to swimming pools such as fences, barriers, covers, setbacks, etc.**



23306 Cree Street NW
Suite 103
St. Francis, MN 55070

Office: 763-331-7722
www.rumrivercc.com

SUPPLEMENTAL WORKSHEET ABOVE-GROUND SWIMMING POOLS

(This sheet must be included with your permit submittal)

The following information is required to be included with a Swimming Pool permit application:

1. Maximum depth of above-ground swimming pool: _____
2. Width of above-ground swimming pool: _____
3. Length of above-ground swimming pool: _____
4. Maximum number of gallons of water the swimming pool can hold: _____
5. Will any excavating be done at the bottom or sides of the pool so that part of the pool is below grade: YES NO

6. Will swimming pool be disassembled and reassembled each year? YES NO

7. If yes, will the swimming pool be re-assembled in the same location each year?
 YES NO

CHAPTER 71: PARKING REGULATIONS

Section

- 71.01 No parking where posted
- 71.02 Limited parking
- 71.03 Other parking restrictions
- 71.04 Snow removal parking restrictions
- 71.05 Restrictions for parking on Paul Avenue during snow removal
- 71.06 Parking certain semi-trailers or tractors on public streets prohibited
- 71.07 Overnight parking
- 71.08 Repairing of vehicles
- 71.09 Prohibiting parking areas in front yards in residential zones
- 71.10 Impoundment
- 71.11 Prima facie violation

§ 71.01 NO PARKING WHERE POSTED.

No person shall stop, stand or park a vehicle upon the public streets of the city at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit these acts.

Penalty, see § 10.99

§ 71.02 LIMITED PARKING.

No person shall stop, stand or park a vehicle upon the public streets of the city where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.

Penalty, see § 10.99

§ 71.03 OTHER PARKING RESTRICTIONS.

(A) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting shall be official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(B) "No parking" signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

(C) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.

(D) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than one hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.

(E) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is one of the types of vehicles specifically permitted.

(F) Every vehicle parked upon any street with a curb shall be parked parallel to the curb, unless angle parking is designated by appropriate signs or markings. On streets with a curb, the right-hand wheels of any vehicle parked shall be within one foot of the curb. On streets without a curb, the vehicle shall be parked to the right of the main traveled portion of the street and parallel to it and in such a manner as not to interfere with the free flow of traffic, unless angle parking is designated by appropriate signs or markings.

Penalty, see § 10.99

§ 71.04 SNOW REMOVAL PARKING RESTRICTIONS.

At any time after two inches or more of snow has accumulated on any public street or alley, whether the accumulation is due to new fallen snow or the drifting or blowing of snow from previous snowfalls, it is unlawful to – No person shall park or leave standing any vehicle, car, truck, van, bus, trailer, camper (whether motorized or not), wagon, motorcycle, bicycle, snowmobile, or other object or piece of equipment on any public street or alley in the City of Cologne after a snowfall of two inches or more in depth until after the snow from

the street or alley has been removed or plowed to the curb or other street boundaries. Any vehicle left standing or parked under those conditions may be removed as hereinafter provided.

(Ord. 76A, passed 10-4-1993) Penalty, see § 10.99

NOTE: a question was asked about doing odd/even parking. I didn't propose or address this because with smaller staff numbers and diverse responsibilities it can be challenging to accomplish odd/even schedules while addressing overtime, etc.

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§ 71.05 RESTRICTIONS FOR PARKING ON PAUL AVENUE DURING SNOW REMOVAL.

At any time in which snow is being removed from Paul Avenue and signs have been posted on Paul Avenue by 4:00 p.m. of the evening preceding the removal of the snow, there shall be no parking on Paul Avenue from 1:00 a.m. until 7:00 a.m. following the posting of the signs. Any vehicle left standing or parked within the time period recited in this section may be removed as hereinafter provided.

Commented [CN1]: Do you really post signs?

(Ord. 76A, passed 10-4-1993) Penalty, see § 10.99

§ 71.06 PARKING CERTAIN SEMI-TRAILERS OR TRACTORS ON PUBLIC STREETS PROHIBITED.

No person shall park a semi-tractor or trailer, or any truck rated with a gross vehicle weight in excess of 10,000 pounds, in any area of the city zoned for residential use or other area designated by City Council resolution except when the vehicle is parked in a completely enclosed garage.

Penalty, see § 10.99

§ 71.07 OVERNIGHT PARKING.

The following vehicles shall not be allowed to park on city streets overnight: repair, delivery, rented vehicles with commercial plates and refuse and recycling haulers or any other vehicle not registered as a passenger vehicle.

Commented [CN2]: See example language from Chaska. It's long, but gets more at the weight/size issue than the type of vehicle.

Penalty, see § 10.99

§ 71.08 REPAIRING OF VEHICLES.

Minor repairs and tune-ups, such as replacement of spark plugs, spark plug wires, thermostat, radiator or heater hoses, oil changes and brake jobs shall be permitted on city streets; provided, that they can be accomplished within the same day and completed by 10:00 p.m. All other repairs shall be considered major repairs and shall not be permitted on any city street, unless the repairs are made within an enclosed structure allowed within

Commented [CN3]: Is it safe for someone to be repairing a vehicle in the street? Drivers may not expect to see them there. I couldn't locate an allowance for people to do this in a sample of other codes I looked at.

Commented [CN4]: Even if allowed.....10:00 p.m.? My safety concern is amplified by it potentially being dark.

the zoning district. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.

§ 71.09 PROHIBITING PARKING AREAS IN FRONT YARDS IN RESIDENTIAL ZONES.

(A) The construction, operation or maintaining a parking area, either paved or unpaved, in the front yard of any lot is prohibited in any area zoned for residential use. For the purpose of this section, front yard shall mean and include that area between the sidewalk, or street line in the event there is no sidewalk, and the front line of the principal building, extending in both directions to the side lot lines.

(B) Use of that portion of a vacant lot within 30 feet of the sidewalk lines for parking in an area zoned for residential use is prohibited.

(C) Driveways in any area zoned for residential use shall not exceed 25% of the width at the front or side lot line. Where more than one driveway is desired or required, they shall be at least 70 feet apart.

(D) The front part of any lot shall not be used for the parking of an automobile, truck, trailer, tractor, recreational vehicle, camper, travel trailer, camper top, tent, wagon, boat, boat trailer, storage area or motor home.

(E) No person, being the owner or having control of any building, shall violate or fail to conform to any provision of this section, or fail to obey any lawful order of an officer charged with its enforcement. Each and every day on which any person continues to violate the provisions of this section, after having been notified of the violation, shall constitute a separate offense. This conviction shall not relieve any person from thereafter complying with the provisions of this section, and shall be sufficient cause to refuse further building or land use permits to the offender until a time as the orders have been complied with.

Penalty, see § 10.99

§ 71.10 IMPOUNDMENT.

Any police officer may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

§ 71.11 PRIMA FACIE VIOLATIONS.

Commented [CN5]: See Paragraph D of the Chaska example for a way to tackle this. Basically, have a maximum amount of a front yard that can be paved, and then do not allow parking except for on the paved surface.

The presence of any motor vehicle on any street when standing or parked in violation of this chapter is *prima facie* evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Event parking – I saw a question about that but do not know what the concern is.

- A. If the concern is about narrow driving lanes, it is common on narrower streets to temporarily post no parking signs if the parking is such that two-way vehicular traffic cannot be maintained.
- B. If the concern is about parking for people that live in the area near the event, that unfortunately is a hazard of having the event. In limited instances, I have seen cities issue permit parking on certain streets but that is in force all the time. Common to see that either in residential areas near colleges or high schools as the parking problem occurs much of the year.

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Parking Example Ordinances

Chaska – related to certain types of vehicles:

10.08.090 Parking Of Certain Vehicles In Residentially Zoned Areas

- A. *Declaration of nuisance.* The outside parking or outside storage on public property within a residential use district of certain motorized and non-motorized vehicles not customarily used or needed for use in connection with the occupancy of residential property for residence purposes is found to create a nuisance and detrimental influence on the public health, safety, prosperity, good order and general welfare in such district, by obstructing the view or interfering with orderly passage of traffic on streets and on other public properties, bringing unhealthful and noisome odors and materials into residential neighborhoods, creating cluttered and otherwise unsightly areas, preventing the full use of residential streets for residential parking, and otherwise adversely affecting residential property values and neighborhood patterns.
- B. *Unlawful parking.* It is unlawful for any person owning, driving or in charge of a vehicle as hereinafter set forth to cause or permit the parking or continuous standing of such vehicles on any public street, alley or other public property within any residential use district:
 1. For more than four (4) continuous hours of any commercial bus, truck, truck tractor or tractor trailer combination which has a registered gross vehicle weight of fifteen thousand (15,000) pounds or more or which is twenty-two (22) feet or more in length;
 2. For more than forty-eight (48) continuous hours of any motorized vehicle which is not subject to paragraph B,1, which has a registered gross vehicle weight in excess of nine thousand (9,000) pounds or which is nineteen (19) feet or more in length; or
 3. For more than forty-eight (48) continuous hours of any non-motorized vehicle or trailer.
- C. *Exceptions.* Paragraph B shall not apply to:
 1. Any motor vehicle being used by a public utility, moving company or similar company while it is actually being used to service a residence not belonging to or occupied by the operator of the vehicle; or
 2. Any motor vehicle used in conjunction with an authorized construction site during a period that construction is actually taking place including non-working hours and holidays.
- D. *Parking on residential lots.*
 1. Except in the R-Rural and RR-Rural Residential Zoning Districts, all area utilized for parking space and driveways on residential lots shall be surfaced

with concrete, bituminous or other impervious surfaces to control dust and drainage.

2. Driveways serving detached single-family residential lots shall not exceed 40 percent of the lot width at the required front yard setback, but in no case shall exceed 36 feet in width; and where the driveway meets the street curb, the driveway shall be no wider than 24 feet. In cases where a driveway exceeds 24 feet at the street right-of-way, the driveway width within such right-of-way (boulevard) shall not extend beyond a diagonal line connecting the point where such driveway meets the right-of-way to the point where it meets the curb. In addition to the above, one 12 foot × 20 foot hard surfaced area for vehicular turnaround shall be permitted in the front yard. The intent of these driveway regulations is to provide for off-street parking in driveways and convenient access to garages, but also to limit the amount of driveway surface in relation to the front yard area in order to preserve reasonable "curb appeal" and neighborhood attractiveness.
3. Parking of vehicles shall be prohibited in the front yard, as defined in CZO 15.04.020, of detached single-family residential lots, except on a hard surface driveway.
4. No more than four vehicles shall be permitted to be parked in the front yard of each detached single-family residential lot within the R1 (Low Density Residence) zoning district, including passenger automobiles, vans and trucks, commercially licensed vehicles or trailers, and recreational vehicles.
5. Only one commercially licensed vehicle shall be permitted per lot. Commercially licensed vehicles or trailers over one ton capacity shall be permitted to be parked on a residential lot only when loading, unloading, or rendering a service.
6. Recreational vehicles including, but not limited to, motor homes, travel trailers, pickups with slip-in campers, boats, motorcycles, snowmobiles, except that only one such vehicle over 30 feet in length shall be permitted per lot.

E. *Violation, petty misdemeanor.* Any violation of paragraph B shall constitute a petty misdemeanor.
